

NIXON PEABODY LLP

Randy S. Gidseg
437 Madison Avenue
New York, NY 10022
(212) 940-3047

Attorneys for Defendants 55th Street Restaurant Operating LLC, 38th Street Restaurant Operating LLC, 31st Street Restaurant Operating, LLC, and 21st Street Restaurant Operating, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CRESENCIO VIDAL-MARTINEZ,
LEOBARDO PEREZ, & EDUARDO
BALLINAS, on behalf of themselves and other
similarly situated employees,

Plaintiffs,

v.

THE PUMP ENERGY FOOD, 55TH STREET
RESTAURANT OPERATING CORP., 38TH
STREET RESTAURANT OPERATING LLC, 31ST
STREET RESTAURANT OPERATING, LLC,
21ST STREET RESTAURANT OPERATING,
LLC, STEVEN KAPELONS & STEVEN
CAPOLONI, jointly and individually,

Defendants.

08-CV-1688
(LAP)

RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendants 55th Street Restaurant Operating LLC (incorrectly identified in the Complaint as “55th Street Restaurant Operating Corp.”), 38th Street Restaurant Operating LLC, 31st Street Restaurant Operating, LLC, and 21st Street Restaurant Operating, LLC (collectively, “Pump”), by their undersigned counsel Nixon Peabody LLP, state that they are wholly owned subsidiaries of Pump Holdings, LLC.

New York, New York

NIXON PEABODY LLP

rgidseg@nixonpeabody.com